



COMMODITY FUTURES TRADING COMMISSION

Ted Weiss Federal Building
290 Broadway, Suite 600
New York, New York 10007
Telephone: (646) 746-9700
Facsimile: (646) 746-9888

Division of
Enforcement

April 28, 2022

BY ECF

Hon. John G. Koeltl
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 14A
New York, NY 10007-1312

**Re: CFTC v. John David McAfee and Jimmy Gale Watson,
1:21-cv-1919 (JGK)**

Dear Judge Koeltl:

Plaintiff Commodity Futures Trading Commission (the “CFTC”) respectfully writes the court to provide a status update.

As to Defendant John David McAfee, Plaintiff understood that at the time of filing McAfee was being detained in a Spanish prison in connection with extradition requests by the U.S. Department of Justice. In response to the CFTC’s request of assistance pursuant to the Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Convention”), a local Spanish official personally served McAfee on June 1, 2021. (Dkt. No. 22.) McAfee’s answer (or other responsive motion) thus was due on June 22, 2021, pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i). No answer or other response was filed or served by that date. According to news reports, on the following day, June 23, 2021, a Spanish court authorized McAfee’s extradition, and later that day he was found dead in his jail cell by apparent suicide. Since the last status update, the CFTC has learned that Spanish officials completed their investigation and confirmed that McAfee died by suicide. (A translated certificate was filed recently by the Government as Exhibit A in *US v. McAfee*, 21-cr-138 (LGS) (Dkt. #46-1).)

As to Defendant Jimmy Gale Watson, on April 14, 2022, Your Honor granted Watson’s unopposed motions to extend his date to answer until July 15, 2022, in both this case and also in the related SEC case (20-cv-8281), in anticipation of potential settlement.

April 28, 2022

Page 2

In light of the current status and Watson's request for additional time, Plaintiff respectfully requests the Court reschedule the status update to on or after July 29, 2022, which is two weeks after the date that Watson's response to the complaint is due.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David W. Oakland", written over a horizontal line.

David W. Oakland

cc: Arnold Spencer, Esq. (counsel for Defendant Watson) (via ECF)